

TENNESSEE REGULATORY AUTHORITY

Sara Kyle, Chairman
Lynn Greer, Director
Melvin Malone, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

September 8, 2000

Mr. Marchris G. Robinson
Manager, State Government Affairs
Enron Corporation
1400 Smith Street, Room EB4720A
Houston, Texas 77002

RE: Docket # 00-00769

Dear Mr. Robinson:

By statute CLEC applicants are required to demonstrate their managerial, financial and technical abilities to provide the services for which they seek authority. To assist the Authority in its review of Enron Broadband Services, Inc. application for a Certificate of Convenience and Necessity to provide interexchange access telecommunications services within the state of Tennessee, you are requested to provide the information on the attachment.

Please provide this information by September 21, 2000. If you have any questions concerning this request or need additional information, please call Patsy Fulton at 615-741-2904 ext. 193.

Sincerely,



David Waddell, Executive Secretary

Attachment (1)

Cc: Docket File ✓

POSTED
9/10/00

Enron Broadband Services, Inc.

Data Request

September 8, 2000

General:

1. On March 10, 2000, the Tennessee General Assembly enacted Public Chapter 586 which amends Tennessee Code Annotated §65-4-125, "Changes in telecommunications service provider - Regulation - Enforcement." Section 3 of this act states as follows:

Section 3. Tennessee Code Annotated, Section 65-4-125, is amended by adding the following as a new, appropriately designated subsection:

j. By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public [pay] telephone service who pay annual inspection and supervision fees pursuant to Tennessee Code Annotated, Section 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, by or on behalf of the authority.

Pursuant to the above statute, the following will be due to the Tennessee Regulatory Authority ("TRA"), prior to completing the processing of your application for a Certificate of Public Convenience and Necessity.

1. A corporate surety bond in form and substance similar to the attached form (Sample#1) in the amount of \$20,000; or

2. An irrevocable letter of credit in form and substance similar to the attached form (Sample#2) in the amount of \$20,000; or

3. Documentary evidence that you own and operate equipment facilities in Tennessee worth more than \$5,000,000.

2. Please provide a statement indicating that you will provide to the authority a Toll Dialing Parity Plan 60 days prior if and when you provide voice services.

3. Please provide a sworn pre-filed testimony. This is needed prior to setting a hearing date in the State of Tennessee for all CLEC applicants. This testimony should describe the services to be provided, the applicant's technical, managerial, and financial abilities to provide the services and affirm that all information submitted is true and correct.

Financial:

1. Please provide complete projected financial statements for the first three years of operation for Enron Broadband Services, Inc. This should be inclusive of balance sheets and income statements. You included the projected statement of cash flow for three years with your original application.